

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

COREY WOOTEN,

Plaintiff,

v.
Civil Action 2:19-cv-664
Judge Edmund A. Sargus, Jr.
Magistrate Judge Elizabeth P. Deavers

DR. BARBARA WOODS, *et al.*,

Defendants.

ORDER

On September 13, 2021, Plaintiff filed a motion to compel seeking responses to interrogatories served on Defendants Dr. Andrew Eddy and Nurse John Gardner. (ECF No. 47.) In response, Defendants immediately moved for an extension of time until September 27, 2021, to respond to Plaintiff's discovery requests. (ECF No. 48.) Defendants cite several reasons for their request, including counsel's difficulty in scheduling conferences with her clients and the recent departure of the Assistant Chief Counsel for the Ohio Department of Rehabilitation and Correction. (*Id.* at 2.) Defendants also note that this matter has been delayed a number of times due to Plaintiff's extension requests. (*Id.*)

The number of extension requests in this case, albeit some necessitated by COVID restrictions, is testing the Court's patience. Further, the Court cannot help but note that, although Defendants suggest blame rests with Plaintiff, some of his more recent extension requests have been the result of delay on Defendants' part. (*See, e.g.*, ECF Nos. 43, 45.)

With all of this in mind, however, and in the interest of justice and the general preference that cases be decided on their merits, the Court **GRANTS** Defendants' motion. (ECF No. 48.) Defendants may have until September 27, 2021, to respond to Plaintiff's discovery requests. No

additional extensions will be granted to Defendants absent extraordinary cause. Motions for summary judgment, if any, remain due on or before **OCTOBER 18, 2021**. Accordingly, Plaintiff's motion to compel (ECF No. 47) is **DENIED** without prejudice to refiling as circumstances may require.

IT IS SO ORDERED.

Date: September 15, 2021

/s/ *Elizabeth A. Preston Deavers*

Elizabeth A. Preston Deavers
United States Magistrate Judge